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2012 MAY 24 A 10:03

AZ CORP COMMISSION
DOCKET CONTROL

May 11, 2012

Docket Control
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

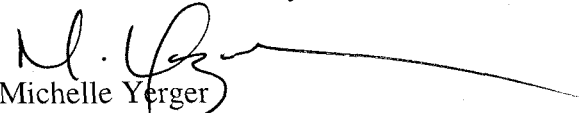
Re: Annual Certification (Docket No. W-04291A-04-0843)

Docket Control:

Pursuant to Decision No. 67881, The Aerie Conservancy hereby certifies that the provisions in the Declaration of Covenants, Conditions, Restrictions and Easements that were recorded with the Yavapai County Recorder on November 17, 2005 at Book 4335, Page 608, which (1) restrict further subdivision of the current 78 lots in the required adjudication area, (2) limit the number of memberships in The Aerie Conservancy, (3) prohibits expansion of the property to be served by The Aerie Conservancy and (4) grants equal voting rights, have not been altered, amended, or repealed.

Very truly yours,

The Aerie Conservancy


Michelle Yerger
Vice President

Arizona Corporation Commission
DOCKETED

MAY 24 2012

DOCKETED BY 

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 GARY PIERCE – Chairman
4 PAUL NEWMAN
5 BRENDA BURNS
6 SANDRA D. KENNEDY
7 BOB STUMP

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ARIZONA CORP COMMISSION
DOCKET CONTROL

7 **IN THE MATTER OF THE APPLICATION**
8 **OF AERIE CONSERVANCY, AN ARIZONA**
9 **NONPROFIT CORPORATION, FOR**
10 **ADJUDICATION THAT IT IS NOT A PUBLIC**
11 **SERVICE CORPORATION**

DOCKET NO. W-04291A-04-0843

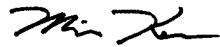
ANNUAL CERTIFICATION

11 The Arizona Corporation Commission ("Commission") granted the application of The
12 Aerie Conservancy for adjudication that it is not a public service corporation in the above-
13 captioned docket. *Decision No. 67881 (June 1, 2005)*. In Decision No. 67881, the Commission
14 ordered The Aerie Conservancy to file a copy of the Declaration of Covenants, Conditions,
15 Restrictions and Easements for the 78 lot subdivision known as The Aerie that (i) restricts the
16 further subdivision of The Aerie, (ii) limits the number of memberships in the Aerie
17 Conservancy, (iii) prohibits expansion of the property to be served by The Aerie Conservancy,
18 and (iv) grants equal voting rights ("CC&Rs"). The Commission further ordered The Aerie
19 Conservancy to file an annual certification stating that the CC&Rs provisions set forth above in
20 (i) – (iv) remain in place and have not been altered, amended, or repealed. The annual
21 certification must be signed by an officer and filed by June 1 of each year until the "Transition
22 Date," as defined in the CC&Rs.

24 The Aerie Conservancy recorded the CC&Rs with the Yavapai County Recorder on
25 November 17, 2005 at Book 4335, Page 608. In compliance with Decision No. 67881, The Aerie
26 Conservancy hereby certifies that the CC&Rs provisions set forth above in (i) – (iv) remain in
27
28

1 place and have not been altered, amended, or repealed. The certification of Michelle Yerger, the
2 Vice President of The Aerie Conservancy, is attached hereto.

3 DATED this 24th day of May, 2012
4

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6 

7 Michael Kern
8 Communities Southwest Management, Inc.
9 7001 N. Scottsdale Road, Suite 1015
10 Scottsdale, Arizona 85253

11 ORIGINAL and thirteen (13) copies
12 filed with Docket Control this 24th
day of May, 2011.

13 COPY of the foregoing hand-delivered
14 this 24th day of May, 2011, to:

15 Brian Bozzo, Compliance Manager
16 Utilities Division
17 ARIZONA CORPORATION COMMISSION
1200 West Washington Street
18 Phoenix, Arizona 85007
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